

SENATE BILL 2988
By Burks

AN ACT to amend Tennessee Code Annotated, Title 68, Chapter 140, Part 7, relative to the use and placement of automated external defibrillators.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 68, Chapter 140, Part 7, is amended by adding the following as new sections:

§ 68-140-711.

(a) Public schools, area vocational schools, non-public schools, charter schools, postsecondary educational institutions as defined in § 49-7-2003, special schools under § 49-50-1001, and rehabilitation centers as defined and authorized in § 49-11-702 shall provide and maintain on-site in each instructional school facility automated external defibrillator (AED) equipment, as defined in § 68-140-710, in quantities and types deemed by the commissioner of education in consultation with the commissioner of health to be adequate to ensure ready and appropriate access for use during emergencies.

(b) When public schools, area vocational schools, non-public schools, charter schools, postsecondary educational institutions, special schools, or rehabilitation center facilities are used for school-sponsored or school-approved curricular or extracurricular events or activities and whenever a school-sponsored athletic contest is held at any location, the school officials and those responsible for the school facility or athletic contest shall ensure the presence of at least one (1) staff person who is trained, pursuant to § 68-140-708, in the operation and use of an AED. Where a school-sponsored athletic event is held at a site other than a public school facility, the public school officials shall assure that AED equipment is provided on-site.

§ 68-140-712.

Each publicly-operated and privately-operated facility having a capacity for occupancy of one thousand (1,000) or more people shall make available at least one (1) functional automated external defibrillator (AED) for emergency use and ensure the presence of at least one (1) person employed by the facility who is trained in the operation of an AED at all functions.

§ 68-140-713.

(a) An automated external defibrillator (AED) shall be placed on at least one (1) authorized emergency vehicle, as defined in § 55-8-101(2), of a career fire department certified by the department of commerce and insurance, when responding to any emergency or fire suppression or providing a rescue service. Each fire department, as defined in § 68-102-302, shall ensure the presence of at least one (1) person employed by the fire department who is trained in the operation of the AED on all responses to any emergency, fire suppression or rescue service.

(b) The provisions of this section do not include volunteer fire departments as recognized under § 68-102-304(2).

§ 68-140-714.

An automated external defibrillator (AED) shall be placed in all police vehicles in the state. Each police department shall ensure the presence of at least one (1) person employed by the police department or volunteering for the police department who is trained in the operation of the AED on all responses to emergency calls.

SECTION 2. The commissioners of education, health, and commerce and insurance are authorized to promulgate rules and regulations to effectuate the purposes of this act. All such rules and regulations shall be promulgated in accordance with the provisions of Tennessee Code Annotated, Title 4, Chapter 5.

SECTION 3. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 4. This act shall take effect January 1, 2005, the public welfare requiring it